



FEMA

Office of Legislative Affairs
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THE EMERGENCY RESPONSE PROCESS (Preliminary Damage Assessments/The Declarations Process/ Primary Considerations for Declarations)

THE EMERGENCY RESPONSE PROCESS

Local emergency and public works personnel, volunteers, humanitarian organizations, and other private interest groups provide emergency assistance required to protect the public's health and safety and to meet immediate human needs.

If necessary, a governor can declare a state of emergency and invoke the state's emergency plan to augment individual and public resources as required.

A governor may determine, after consulting with local government officials, that the recovery appears to be beyond the combined resources of both the state and local governments and that federal assistance may be needed. In requesting supplemental Federal assistance under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 42 U.S.C. §§ 5121-5206 (Stafford Act), the Governor must certify that the severity and magnitude of the disaster exceed state and local capabilities; certify that Federal assistance is necessary to supplement the efforts and available resources of the state and local governments, disaster relief organizations, and compensation by insurance for disaster related losses; confirm execution of the state's emergency plan; and certify adherence to cost sharing requirements.

Under the declaration process and to assist a governor to determine if a request for assistance should be made, a preliminary damage assessment is conducted. These assessments are conducted in counties affected by the disaster event. FEMA works with the State's emergency management agency to accomplish these assessments.

THE PRELIMINARY DAMAGE ASSESSMENT

This preliminary damage assessment team is comprised of personnel from FEMA, the State's emergency management agency, county and local officials and the U.S. Small Business Administration. The team's work begins with reviewing the types of damage or emergency costs incurred by the units of government, and the impact to critical facilities, such as public utilities, hospitals, schools, and fire and police departments. They will also look at the affect on individuals and businesses, including the number damaged, the number of people displaced, and the threat to health and safety caused by the storm event. Additional data from the Red Cross or other local voluntary agencies may also be reviewed. During the assessment the team will collect estimates of the expenses and damages.

This information can then be used by the Governor to support a declaration request – showing the cost of response efforts, such as emergency personnel overtime, other emergency services, and damage to citizens, is beyond state and local recovery capabilities. The information gathered during the assessment will help the Governor certify that the damage exceeds state and local resources.

THE DECLARATION PROCESS

As set forth in the Stafford Act, a governor seeks a presidential declaration by submitting a written request to the President through the FEMA regional office. In this request the Governor certifies that the combined local, county and state resources are insufficient and that the situation is beyond their recovery capabilities. Following a FEMA regional and national office review of the request and the findings of the preliminary damage assessment, FEMA provides the President an analysis of the situation and a recommended course of action.

CRITERIA USED BY FEMA

The federal disaster law restricts the use of arithmetical formulas or other objective standards as the sole basis for determining the need for federal supplemental aid. As a result, FEMA assesses a number of factors to determine the severity, magnitude, and impact of a disaster event. In evaluating a Governor's request for a major disaster declaration, a number of primary factors, along with other relevant information, are considered in developing a recommendation to the President for supplemental disaster assistance. Primary factors considered include:

- ◆ Amount and type of damage (number of homes destroyed or with major damage);
- ◆ Impact on the infrastructure of affected areas or critical facilities;
- ◆ Imminent threats to public health and safety;
- ◆ Impacts to essential government services and functions;
- ◆ Unique capability of Federal government;
- ◆ Dispersion or concentration of damage;
- ◆ Level of insurance coverage in place for homeowners and public facilities;
- ◆ Assistance available from other sources (Federal, State, local, voluntary organizations);
- ◆ State and local resource commitments from previous, undeclared events; and
- ◆ Frequency of disaster events over recent time period.

The very nature of disasters—their unique circumstances, the unexpected timing, and varied impacts—precludes a complete listing of factors considered when evaluating disaster declaration requests. However, the above lists most primary considerations.